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EXAMINER

EWART, JAMES D

ART UNIT PAPER NUMBER

2683

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/034,508	Applicant(s) BELLOWS, DAVID E.	
	Examiner James D Ewart	Art Unit 2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

Response to Arguments

1. The 112 rejections to claims 1 and 3 have been overcome, however the direction to receive the hand held device is not inserted perpendicular to the base, it is at a slight angle as shown in the figures.

2. The 112 rejections to claim 13 for antecedent basis has been overcome, by the amendment to claim 12.

3. The applicants arguments regarding prior art rejections under 103(a), filed October 6, 2003, have been fully considered by the Examiner, but they are not deemed to be persuasive except for claim 18 in which the references cited do not teach **depressing the latch when removing the device**.

4. Applicant argues that Shawver does not teach a latch that is parallel to the base. The latch is parallel to the base when inserting the device the first position and the second position it is spaced apart from the base. The claim does not indicate whether the first position is the placement into the cradle or not. Examiner agrees that the latch is not depressed when removing the device however the component in figure 2 labeled 14 is a latch and Applicant argument that 14 of figure 2 is spring loaded thus teaching away from Applicants invention is contradictive of applicants spring loaded latch as claimed in the specification page 7 lines 10 and 11. Further Shawver states in Column 3, Line 67 to Column 4, Line 2 that "Movable tabs 12 are deflected back so that the top of PDA 2 can be placed down flat on the surface against bias of the spring 14".

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5. Applicant's argument for claim 19 is that the latch of Shawver is not planar to the base, it is planar to the base upon insertion. The claim does not indicate planar to the base in the second position.

6. Applicant's argument that the spring loaded battery of Vance is not to facilitate the removal of the battery. The spring loaded latch presses that battery against the contacts when the battery is in place and pushes the battery outside the slot when the latch for the batteries is opened thus facilitating the removal of the batteries see column 7, lines 57-60.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

8. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the direction to receive the hand held device is not inserted perpendicular to the base, it is at a slight angle as shown in the figures.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-6, 16, 17 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ooe (U.S. Patent No. 5,659,887) in view of Shawver (U.S. Patent No. 5,996,956).

Referring to claim 1, Ooe teaches a storage system for a hand-held device (Figure 3), comprising: a housing having a base and at least two sidewalls extending perpendicular from the base (Figure 3), the housing extending between two ends spaced apart from each other (Figure 3); an axis extending from one end of the housing to the other (Figure 3), the housing having an opening at one of the ends dimensionally configured to receive the hand held device along a direction parallel to the axis (Figure 3), but does not teach a latch located near the opening, the latch having an upper surface movable relative to the base between a first position and a second position; in the first position, the upper surface being planar to the base to facilitate insertion and removal of the hand-held device; in the second position, the upper surface being spaced from the base in a direction that the sidewalls extend from the base. Shawver teaches a latch located near the opening, the latch having an upper surface movable relative to the base between a first position and a second position; in the first position, the upper surface being planar to the base to facilitate insertion and removal of the hand-held device; in the second position, the upper surface being spaced from the base in a direction that the sidewalls extend from the base (Figure 2;14 and Column 3, Line 67 to Column 4, Line 2). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the art of Ooe with

the teaching of Shawver of a latch located near the opening, the latch having an upper surface movable relative to the base between a first position and a second position; in the first position, the upper surface being planar to the base to facilitate insertion and removal of the hand-held device; in the second position, the upper surface being spaced from the base in a direction that the sidewalls extend from the base to removably secure an electronic device to the front mounting surface (Column 2, Lines 9-10).

Referring to claim 29, Ooe teaches a cradle for storing a hand held device, comprising: a base unit to store the hand held device, the base unit having sidewalls to limit movement of the hand held device according to multiple degrees of freedom (Figure 5; restricted in the $-X$, $+X$, $-Y$ and $+Y$ degrees of freedom), but does not teach a latching component that limits movement of the hand held device in a final degree of freedom, the latching component having an upper surface movable relative to the base unit between a first position and a second position; in the first position, the upper surface being planar to the base unit to facilitate insertion and removal of the hand held device in a singular motion; in the second position, the upper surface being spaced from the base unit to mitigate shock and vibration of the hand held device. Shawver teaches a latching component that limits movement of the hand held device in a final degree of freedom (Figure 2; 12), the latching component having an upper surface movable relative to the base unit between a first position and a second position; in the first position, the upper surface being planar to the base unit to facilitate insertion and removal of the hand held device in a singular motion (Figure 1; 12); in the second position, the upper surface being spaced from the base unit to mitigate shock and vibration of the hand held device (Figure 2; 12). Therefore at the time the

invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Ooe with the teaching of Shawver of using a latching component that limits movement of the hand held device in a final degree of freedom, the latching component having an upper surface movable relative to the base unit between a first position and a second position; in the first position, the upper surface being planar to the base unit to facilitate insertion and removal of the hand held device in a singular motion; in the second position, the upper surface being spaced from the base unit to mitigate shock and vibration of the hand held device to removably secure an electronic device to the front mounting surface (Column 2, Lines 9-10).

Referring to claim 2, Shawver further teaches the upper surface of the latch is contoured in accordance to the shape of the hand held device to promote insertion and removal of the device (Figure 2; 14).

Referring to claim 3, Shawver further teaches the upper surface of the latch is contoured in the shape of a thumb (Figure 2; 14). is a relative term.

Referring to claim 4, Shawver further teaches the latch is spring loaded to facilitate movement of the latch from the first position to the second position (Column 4, Lines 1-2).

Referring to claim 5, Ooe further teaches the housing is employed to mitigate shock and vibration of the hand held device in multiple degrees of freedom during storage of the device (Figure 3).

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Referring to claims 6, Ooe further teaches the base further comprising of a mechanical compartment (Figure 6, 231) and an electrical compartment (Figure 6, 216), the electrical compartment providing an interface for the hand held device (Figure 6, 216), but does not teach the mechanical compartment providing an operating region for the latch. Shawver teaches the mechanical compartment providing an operating region for the latch. Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the art of Ooe with the teaching of Shawver of the mechanical compartment providing an operating region for the latch to removably secure an electronic device to the front mounting surface (Column 2, Lines 9-10).

Referring to claim 16, Ooe further teaches the base further comprising of one or more mounting studs to attach the storage system to at least one of a vehicle, a wall, and other object (Figure 3).

Referring to claim 17, Ooe further teaches the hand held device is at least one of an inventory system, a cell phone, and a hand held computer (Figure 3).

Claim 7, 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ooe in view of Shawver and further in view of Desai et al. (U.S. Patent No. 6,344,727).

Referring to claim 7, Ooe further teaches the interface including circuitry adapted to transfer information from the hand held device to at least one of the base and a remote system, but does not teach a processor and associated memory to transfer data. Desai et al. teaches a

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processor and associated memory to transfer data (Figure 2). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Ooe and Shawver with the teaching of Desai et al. of a processor and associated memory to transfer data to charge and/or communicate the device connected to the charged device interface (Column 3, Lines 4-5)

Referring to claims 8 and 10, Ooe further teaches the base having one or more interface ports operatively coupled to the interface and adapted to communicate to the remote system (Figure 4; 16 and 25 and Column 3, Lines 5-9).

10. Claims 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ooe and Shawver and further in view of Derr et al. (U.S. Patent No. 6,634,494).

Referring to claims 9 and 15, Ooe teaches the electrical compartment and mechanical compartment, but does not teach being isolated via a sealing barrier and a grommet to mitigate contaminants being transferred. Derr et al. teaches being isolated via a sealing barrier and a grommet to mitigate contaminants being transferred (Column 1, Lines 50-58 and Column 8, Lines 7-29). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Ooe and Shawver with the teaching of Derr et al. of being isolated via a sealing barrier and a grommet to mitigate contaminants being transferred to provide a protective device with a water-tight and dust-tight environment (Column 1, Lines 46-47)

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11. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ooe and Shawver and further in view of Weissshappel et al. (U.S. Patent No. 6,141,569)

Referring to claims 11, Ooe teaches the mechanical compartment but does not teach further comprising a storage compartment for storing at least one of a battery, a fuse, and a replacement component. Weissshappel et al. teaches a storage compartment for storing at least one of a battery, a fuse, and a replacement component associated with the hand held device (Column 2, Lines 50-58). Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Ooe and Shawver with the teaching of Weissshappel et al. a storage compartment for storing at least one of a battery, a fuse, and a replacement component for attaching an optional accessory, such as a rechargeable battery pack, to a portable electronic device, such that the appearance of the portable electronic device is minimally affected when the optional accessory is not attached (Column 2, Lines 1-5).

Referring to claims 12, Weissshappel et al. further teaches the storage compartment including a charging component having at least a charging contacts for the battery (Column 2, Lines 2-3).

12. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ooe, Shawver and Weissshappel et al. and further in view of Vance (U.S. Patent No. 6,389,302).

Referring to claim 13, Ooe, Shawver and Weissshappel et al. teach the limitations of claim 13, but do not teach the charging components are spring loaded to facilitate removal of the battery. Vance teaches the charging components are spring loaded to facilitate removal of the battery (Column 5, Lines 52-53). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Ooe, Shawver and Weissshappel et al. with the teaching of Vance of charging components are spring loaded to facilitate removal of the battery to provide a cost-effective and reliable vibrating unit which can be used with compact radiotelephone designs (Column 1, Lines 51-53).

Referring to claim 14, Ooe, Shawver and Weissshappel et al. teach the limitations of claim 14, but do not teach a spring loaded latch that cooperates with the charging contacts to facilitate insertion and removal of the battery. Vance teaches a spring loaded latch that cooperates with the charging contacts to facilitate insertion and removal of the battery (Column 7, Lines 44-45). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Ooe, Shawver and Weissshappel et al. with the teaching of Vance of a spring loaded latch that cooperates with the charging contacts to facilitate insertion and removal of the battery to provide a cost-effective and reliable vibrating unit which can be used with compact radiotelephone designs (Column 1, Lines 51-53).

13. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ooe and Shawver, and further in view of Marin (U.S. Patent No. 4,935,742).

Referring to claim 15, Ooe and Shawver teach the limitations of claim 28, but do not teach the mechanical compartment and base comprising one or more drainage ports to facilitate the removal of contaminants. Marin teaches the mechanical compartment and base comprising one or more drainage ports to facilitate the removal of contaminants (Column 5, Lines 43-54). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the art of Ooe, and Shawver with the teaching of Marin the mechanical compartment and base comprising one or more drainage ports to facilitate the removal of contaminants to allow condensation inside the casing to drain (Column 5, Lines 46-47).

14. Claim 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ooe (U.S. Patent No. 5,659,887) in view of Shawver (U.S. Patent No. 5,996,956) and further in view of Pruss et al. (U.S. Patent No. 6,639,561).

Referring to claim 18, Ooe teaches a method to facilitate storage of a hand held device (Figure 3), comprising: restricting movement of the hand held device in a housing according to multiple degrees of freedom (Figure 3; restricted in the $-X$, $+X$, $-Y$ and $+Y$ degrees of freedom); providing an opening in the housing to permit storage and removal of the device in the housing (Figure 3); but does not teach positioning a latch in front of the opening when storing the hand held device in order to mitigate device movement in a final degree of freedom; and depressing the latch when removing the device. Shawver teaches positioning a latch in front of the opening when storing the hand held device in order to mitigate device movement in a final degree of freedom; and depressing the latch when removing the device (Figure 3; 20 and Column 4, Line

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12 -15). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the art of Ooe with the teaching of Shawver positioning a latch in front of the opening when storing the hand held device in order to mitigate device movement in a final degree of freedom. Neither Ooe or Shawver teach and depressing the latch when removing the device to removably secure an electronic device (Column 2, Lines 9-10). Pruss et al teaches depressing the latch when removing the device to removably secure an electronic device (Column 1 Lines 50-55). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Ooe or Shawver with the teaching of Pruss et al of depressing the latch when removing the device to removably secure an electronic device to retain the device (Column 1, Lines 54-55)

Referring to claims 19 and 20, Ooe further teaches the base having one or more interface ports operatively coupled to the interface and adapted to communicate to the remote system (Figure 4; 16 and 25 and Column 3, Lines 5-9).

15. Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ooe, Shawver and Pruss et al and further in view of Weissshappel et al. (U.S. Patent No. 6,141,569)

Referring to claims 21, Ooe teaches the mechanical compartment but does not teach further comprising a storage compartment for storing at least one of a battery, a fuse, and a replacement component. Weissshappel et al. teaches a storage compartment for storing at least one of a battery, a fuse, and a replacement component associated with the hand held device

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(Column 2, Lines 50-58). Therefore, at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Ooe, Shawver and Pruss et al with the teaching of Weissshappel et al. of a storage compartment for storing at least one of a battery, a fuse, and a replacement component for attaching an optional accessory, such as a rechargeable battery pack, to a portable electronic device, such that the appearance of the portable electronic device is minimally affected when the optional accessory is not attached (Column 2, Lines 1-5).

Referring to claims 22, Ooe further teaches charging the battery (Column 3, Lines 5-9).

16. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ooe, Shawver, Pruss et al and Weissshappel et al. and further in view of Vance (U.S. Patent No. 6,389,302).

Referring to claim 23, Ooe, Shawver, Pruss et al and Weissshappel et al. teach the limitations of claim 23, but do not teach the charging components are spring loaded to facilitate storage and removal of the battery. Vance teaches the charging components are spring loaded to facilitate storage and removal of the battery (Column 5, Lines 52-53). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Ooe, Shawver, Pruss et al and Weissshappel et al. with the teaching of Vance of charging components are spring loaded to facilitate storage and removal of the battery to provide a cost-effective and reliable vibrating unit which can be used with compact radiotelephone designs (Column 1, Lines 51-53).

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17. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ooe, Shawver and Pruss et al and further in view of Marin (U.S. Patent No. 4,935,742).

Referring to claim 24, Ooe and Shawver and Pruss et al teach the limitations of claim 24, but do not teach one or more drainage ports to mitigate contaminants in the housing. Marin teaches one or more drainage ports to mitigate contaminants in the housing (Column 5, Lines 43-54). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the art of Ooe, Shawver and Pruss et al with the teaching of Marin of one or more drainage ports to mitigate contaminants in the housing to allow condensation inside the casing to drain (Column 5, Lines 46-47).

18. Claims 25 and 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ooe in view of Shawver in further view of Weisschappel et al.

Referring to claim 25, Ooe teaches a system to facilitate storage of a hand held device, comprising: means for restricting movement of the hand held device in multiple degrees of Freedom (Figure 3); means for permitting storage and removal of the hand held device in the housing (Figure 3), but does not teach means for latching the hand held device in order to mitigate device movement in a final degree of freedom; means for releasing the hand held device from storage. Shawver teaches latching the hand held device in order to mitigate device movement in a final degree of freedom; means for releasing the hand held device from storage (Figure 2; 12 and 20 and Column 3, Line 67 to Column 4, Line 2). Therefore at the time the

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invention was made, it would have been obvious to a person of ordinary skill in the art to combine the art of Ooe with the teaching of Shawver of latching the hand held device in order to mitigate device movement in a final degree of freedom; means for releasing the hand held device from storage to facilitate insertion and removal of the hand-held device to removably secure an electronic device to the front mounting surface (Column 2, Lines 9-10). Ooe and Shawver teach the limitations of claim 25, but do not teach means for storing auxiliary components associated with the hand held device and means for removing the auxiliary component. Weissshappel et al. teaches means for storing auxiliary components associated with the hand held device and means for removing the auxiliary component (Column 2, Lines 50-58). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Ooe and Shawver with the teaching of Weissshappel et al. of means for storing auxiliary components associated with the hand held device and means for removing the auxiliary component for attaching an optional accessory, such as a rechargeable battery pack, to a portable electronic device, such that the appearance of the portable electronic device is minimally affected when the optional accessory is not attached (Column 2, Lines 1-5). Ooe, Shawver, and Weissshappel et al. teach the limitations of claim 25 but do not teach utilizing a latch movement planar to the base. Pruss et al teaches utilizing a latch movement planar to the base (Column 1 Lines 49-55). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Ooe, Shawver, and Weissshappel et al. with the teaching of Pruss et al of utilizing a latch movement planar to the base to retain the device (Column 1, Lines 54-55).

Referring to claims 26, Weissshappel et al. further teaches means for charging the auxiliary component (Column 2, Lines 2-3).

19. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ooe in view of Shawver in view of Pruss et al further in view of Derr et al.

Referring to claim 27, Ooe teaches a cradle for storing a hand held device, comprising: a base unit to store the hand held device (Figure 3); a mechanical compartment associated with the base unit (Figure 6; 231, latch), and an electrical compartment associated with the base unit and the mechanical compartment (Figure 6; 230), but does not teach the mechanical compartment housing a latching component that limits movement of the hand held device in a final degree of freedom. Shawver teaches the mechanical compartment houses a latching component that limits movement of the hand held device in a final degree of freedom (Figure 2; 14 and Column 3, Line 67 to Column 4, Line 2). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Ooe with the teaching of Shawver wherein the mechanical compartment houses a latching component that limits movement of the hand held device in a final degree of freedom to removably secure an electronic device to the front mounting surface (Column 2, Lines 9-10). Ooe and Shawver teaches the limitations of claim 27, but does not teach utilizing a latch movement planar to the base. Pruss et al teaches a latching movement planar to the base (Column 1, Lines 49-56). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Ooe and Shaver with the teaching of Pruss et al of a latching

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movement planar to the base to retain the device (Column 1, Lines 54-55). Ooe, Shawver and Pruss et al teaches the limitations of claim 27, but does not teach isolating moisture from entering the mechanical compartment via at least one of an isolation barrier and a grommet.

Derr et al. teaches isolating moisture from entering the mechanical compartment via at least one of an isolation barrier and a grommet (Column 1, Lines 50-58 and Column 8, Lines 7-29).

Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Ooe , Shawver and Pruss et al. with the teaching of Derr et al. of isolating moisture from entering the mechanical compartment via at least one of an isolation barrier and a grommet (Column 1, Lines 46-47). Therefore at the time the invention was made, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Ooe and Shawver with the teaching of Derr et al. of isolating moisture from entering the mechanical compartment via at least one of an isolation barrier and a grommet to provide a protective device with a water-tight and dust-tight environment (Column 1, Lines 46-47)

20. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ooe, Shawver, Pruss et al and Derr et al. and further in view of Marin (U.S. Patent No. 4,935,742).

Referring to claim 28, Ooe, Shawver, Pruss et al. and Derr et al. teach the limitations of claim 28, but do not teach the mechanical compartment further comprising one or more drainage ports to exhaust the moisture that enters the compartment. Marin teaches a compartment further comprising one or more drainage ports to exhaust the moisture that enters the compartment (Column 5, Lines 43-54). Therefore at the time the invention was made, it would have been

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obvious to a person of ordinary skill in the art to combine the art of Ooe, Shawver, Pruss et al and Derr et al. with the teaching of Marin of a compartment further comprising one or more drainage ports to exhaust the moisture that enters the compartment to allow condensation inside the casing to drain (Column 5, Lines 46-47).

Conclusion


21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James D Ewart whose telephone number is (703) 305-4826. The examiner can normally be reached on M-F 7am - 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703)308-5318. The fax phone numbers for the organization where his application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.



Ewart
December 30, 2004



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600